

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

SAMA CAMP, LLC,

Plaintiff,

v.

SAMA TEA, LLC; SAMA
WORLDWIDE INC.; SAMA
BEVERAGES, LLC; 100.CO; JAY
SHETTY; RADHI DEVLUKIA
SHETTY; KIM PERELL; and JAMES
BRENNAN,

Defendants.

CIVIL ACTION NO. 1:22-cv-01722-TCB

MOTION TO DISMISS COUNTERCLAIM

Plaintiff Sama Camp, LLC (“Plaintiff”) respectfully moves this Court to dismiss Defendants Sama Tea, LLC; Sama Worldwide Inc.; and Sama Beverages, LLC’s (the “Entity Defendants”) Counterclaim [ECF No. 18] for failure to state a claim. This action arises from Defendants’ infringement of Plaintiff’s valid, enforceable trademark, which the Entity Defendants seek to cancel on the grounds of abandonment and fraud on the United States Patent and Trademark Office. As expounded in the attached Memorandum in Support, the allegations in the Entity Defendants’ Counterclaim lack the specificity required for fraud claims and fail to sufficiently allege trademark abandonment. Plaintiff therefore requests that the Court grant the instant motion and dismiss the Entity Defendants’ Counterclaim.

Respectfully submitted, this 11th day of August, 2022.

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